

House Concurrent Resolution 105 - Introduced

HOUSE CONCURRENT RESOLUTION NO. 105

BY WILLS, GUSTAFSON, SALMON, HEARTSILL, FRY, KAUFMANN,
FISHER, R. TAYLOR, WATTS, HOLT, GRASSLEY, BEST,
PAUSTIAN, KLEIN, T. MOORE, HEIN, BRANHAGEN,
KOESTER, HUSEMAN, HOLZ, DEYOE, WORTHAN, BYRNES,
BAUDLER, MAXWELL, STANERSON, and KOOIKER

1 A Concurrent Resolution claiming state sovereignty
2 under the Tenth Amendment to the Constitution of the
3 United States over certain mandates imposed on the
4 states by the federal government.

5 WHEREAS, the Tenth Amendment to the Constitution of
6 the United States reads as follows: "The powers not
7 delegated to the United States by the Constitution, nor
8 prohibited by it to the States, are reserved to the
9 States respectively, or to the people."; and

10 WHEREAS, the Tenth Amendment defines the total scope
11 of federal power as being that specifically granted by
12 the Constitution of the United States and no more; and

13 WHEREAS, the United States Supreme Court has ruled
14 that Congress may not simply commandeer the legislative
15 and regulatory processes of the states; and

16 WHEREAS, the scope of power defined by the Tenth
17 Amendment means that the federal government was created
18 by the states specifically to be an agent of the
19 states; and

20 WHEREAS, today, the states are demonstrably treated
21 as agents of the federal government; and

22 WHEREAS, many federal mandates are directly in
23 violation of the Tenth Amendment to the Constitution of
24 the United States; NOW THEREFORE,

1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 THE SENATE CONCURRING, That the State of Iowa hereby
3 claims sovereignty under the Tenth Amendment to
4 the Constitution of the United States over all
5 powers not otherwise enumerated and granted to the
6 federal government by the Constitution of the United
7 States; and

8 BE IT FURTHER RESOLVED, That the Iowa General
9 Assembly demands that the federal government, as
10 its agent, cease and desist, effective immediately,
11 enacting federal mandates that are beyond the scope of
12 these constitutionally delegated powers; and

13 BE IT FURTHER RESOLVED, That a copy of this
14 resolution be distributed to the President of the
15 United States, the President of the United States
16 Senate, the Speaker of the United States House
17 of Representatives, and each member of Iowa's
18 congressional delegation.